

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: WOLF et al. Confirmation No.: 8811
Application No.: 10/588,410 Group Art Unit: 1638
Filing Date: August 3, 2006 Examiner: Anne R. Kubelik
Title: **WATERMELON VARIETIES HAVING
ALTERED SUGAR RATIOS** Attorney Docket No.: 15872.017

THIRD INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to Applicant's duty of disclosure under 37 C.F.R. § 1.56, enclosed is a Form PTO-1449 listing twelve (12) references. Copies of the non-patent references are enclosed. Some of the documents may have markings thereon. No significance is meant to be attached to the markings.

Pursuant to 37 C.F.R. §§ 1.97 (g) and 1.97 (h), this disclosure statement should not be construed as a representation that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

It is believed that this disclosure complies with the requirements of 37 C.F.R. §§ 1.56, 1.97, and 1.98, and the Manual of Patent Examining Procedure § 609. If for some reason the Examiner considers otherwise, the undersigned respectfully requests that he be called so that any deficiencies can be remedied.

It is respectfully requested that the references be made of record in this application by the Examiner's completion and return of the attached Form PTO-1449.

This Third Information Disclosure Statement is filed under 37 C.F.R. 1.97(c), after the mailing of a first Office Action on the merits but prior to a final rejection or Notice of Allowance. Accordingly, the Commissioner is hereby authorized to charge the requisite fee of \$180 and any additional fees that may be associated with this filing to Deposit Account No. 060590.

Respectfully submitted,

August 19, 2009
Date

/Rodney J. Fuller/
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